

SENATE BILL NO. 10

BY SENATOR MARTINY

1 AN ACT

2 To amend and reenact R.S. 26:351(7), 493.1, 583(C)(2), 597(A), and 598(A), relative to
3 provisions of Title 26 (Liquors - Alcoholic Beverages) of the Louisiana Revised
4 Statutes of 1950, which are limited in applicability to certain political subdivisions
5 or local areas based upon population classifications; to specify applicability to one
6 or more political subdivisions or local areas; to adjust population categories to retain
7 applicability; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 26:351(7), 493.1, 583(C)(2), 597(A), and 598(A) are hereby
10 amended and reenacted to read as follows:

11 §351. Limitation on size of containers of beverages of high alcoholic content;
12 standards of fill

13 Except for wines, no manufacturer or wholesaler in this state shall have in his
14 possession any beverages of high alcoholic content outside of his bonded stockroom
15 unless they are in containers of no greater capacity than 1.75 liters. The standards
16 of fill shall be the following:

17 * * *

18 (7) Notwithstanding the provisions of Paragraph (6) or any other law to the
19 contrary, ~~in parishes with a population of four hundred thousand or more, and in the~~
20 ~~parishes of Caddo, Bossier,~~ **Caddo**~~, Calcasieu,~~ **East Baton Rouge, Jefferson,**
21 **Lafayette, Orleans, Ouachita, and** Rapides, ~~and Ouachita, regardless of population~~
22 ~~and parishes with a population of not less than three hundred sixty thousand and not~~
23 ~~more than four hundred ten thousand,~~ beverages of high alcoholic content may be
24 sold in or shipped into this state in fifty milliliter containers and stored by licensed
25 wholesale dealers only for the purpose of sale to licensed retail dealers who own or
26 operate hotels or motels which consist of sleeping rooms, cottages, or cabins, for
27 purposes of sale at retail in the sleeping rooms, cottages, or cabins only. The sale of

fifty milliliter containers from wholesalers to retailers shall be made only in full sealed case lots as delivered from the manufacturer to the wholesaler, and the cases shall remain sealed until such time as the sale and delivery to the retailer are completed.

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§493.1. Local regulatory ordinances; bar closing in certain municipalities

In addition to the provisions of R.S. 26:493 the governing authority of any municipality within a parish with a population between fifty-three thousand and ~~fifty-seven~~ sixty thousand persons according to the most recent federal decennial census may enact ordinances to regulate the closing times of bars located within the municipality, subject to approval by a majority of the qualified electors of the municipality voting at an election held for the purpose.

* * *

§583. Effect of merger

* * *

C.

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(2) Notwithstanding any other provision of law to the contrary, any parish with a population between forty thousand and ~~forty-five~~ fifty thousand, based upon the latest federal decennial census, shall not be subject to the provisions of Subsections A and B of this Section and shall retain the legal sales characteristics as provided for by referendum prior to any annexation or reapportionment.

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§597. Alcoholic beverage sales in restaurants; authorization for propositions to be submitted to voters in certain elections

A.(1) The governing authority of ~~any municipality established by legislative charter with a population of not less than thirteen thousand nor more than fourteen thousand~~ **Minden** may submit to the voters in any election held in compliance with provisions of either R.S. 18:402(A), (B), or (F) a proposition that would determine whether or not the business of selling alcoholic beverage only in a restaurant may be

conducted and licensed therein; ~~however~~

(2) However, any municipality with a population of not less than two thousand five hundred and not more than three thousand five hundred that has issued a license or permit after May 1, 2003, and on or before June 15, 2003, authorizing the sale and service of alcoholic beverages for consumption on the premises shall not be required to conduct an election notwithstanding any other law to contrary.

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§598. Alcoholic beverage sales in restaurants; authorization for propositions to be submitted to voters in certain elections

A. Notwithstanding any other provision of law to the contrary, in **the town of Many,** ~~a municipality having a population of not less than two thousand eight hundred eighty and not more than two thousand nine hundred fifty according to the latest federal decennial census,~~ the governing authority may submit to the voters in any election held in compliance with provisions of R.S. 18:402, a proposition to determine whether or not the business of selling alcoholic beverages in a restaurant may be conducted and licensed only within the incorporated limits of the municipality.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____